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United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 60/19. It covers the implementation of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law during the biennium 2006-2007 and provides guidelines and recommendations for the execution of the Programme for the biennium 2008-2009.

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I. Introduction

1. By its resolution 60/19, the General Assembly authorized the Secretary-General to carry out in 2006 and 2007 the activities specified in the report of the Secretary-General on the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law submitted at its sixtieth session (A/60/441). In paragraph 15 of the resolution, the Assembly requested the Secretary-General to report to it at its sixty-second session on the implementation of the Programme during 2006 and 2007 and, following consultations with the Advisory Committee on the Programme, to submit recommendations regarding the execution of the Programme in subsequent years.

2. The present report covers the implementation of the Programme during 2006 and 2007 in accordance with the guidelines and recommendations contained in the report of the Secretary-General to the General Assembly at its sixtieth session (ibid.). The present report, inter alia, gives an account of the activities performed by the United Nations and of those in which the Organization has participated, as well as a description of activities undertaken by the United Nations Educational, Scientific and Cultural Organization (UNESCO).

II. Implementation of the Programme during the biennium 2006-2007

A. Activities of the United Nations

1. Activities of the Office of Legal Affairs

3. A panel on "Nuclear Terrorism: Prevention, Security and the Counter-Terrorism Legal Framework", organized by the Office of Legal Affairs, was held on 18 June 2007 at United Nations Headquarters.

4. Furthermore, the new Office of Legal Affairs website in English and French was developed and launched and its iSeek webpage was upgraded and updated.

5. The Office received and assigned interns and externs in the different divisions to participate in the work of the department. The Office selects interns and externs, arranges for the duration and type of their training and assigns them to projects in which an intern or extern has a special interest. Interns and externs bear all their own financial expenses.

(a) Codification Division

(i) Activities: International Law Fellowship Programme and regional courses

6. As in the past, the Codification Division continued to perform various functions as the Division in charge of the implementation of the Programme of Assistance. In cooperation with the United Nations Institute for Training and Research (UNITAR), the Codification Division made the arrangements relating to the general orientation of the International Law Fellowship Programme, such as the selection of fellows and lecturers, as well as the designing of the curricula. Communication was maintained between the Codification Division and UNITAR to ensure the implementation of the Fellowship Programme in accordance with the

guidelines approved by the General Assembly. Similarly, the Division is also responsible for the organization of regional courses in international law, again in cooperation with UNITAR.

International Law Fellowship Programme

7. In paragraph 2 (a) of its resolution 60/19, the General Assembly authorized the Secretary-General to award a number of international law fellowships in 2006 and 2007, to be determined in the light of the overall resources for the Programme of Assistance and to be awarded at the request of Governments of developing countries. On the basis of the said resolution, 17 fellowships were awarded in 2006[1] and 21 in 2007.

8. The 2006 and 2007 International Law Fellowship Programmes were held in The Hague, the Netherlands, from 10 July to 18 August 2006 and from 2 July to 10 August 2007, respectively.

9. For the 2006 International Law Fellowship Programme, which was conducted in English, 321 applications from 92 countries had been received by the closing date. The 17 fellows (8 males and 9 females) who participated in 2006 were from the following countries: Afghanistan, Bangladesh, Barbados, Bolivia, Cameroon, Eritrea, Ethiopia, Indonesia, Iraq, Jamaica, Lesotho, Nicaragua, Papua New Guinea, Serbia, Sri Lanka, United Republic of Tanzania and Uzbekistan. In addition, seven self-funded participants attended the Programme. They came from: Association of Southeast Asian Nations, Australia, Iran (Islamic Republic of), Portugal, Qatar, Thailand and Turkey.

10. For the 2007 International Law Fellowship Programme, which was conducted in French, 283 applications from 58 countries had been received by the closing date. The 21 fellows (13 males and 8 females) who participated in 2007 were from the following countries: Azerbaijan, Benin, Burkina Faso, Burundi, Cambodia, Chad, Colombia, Côte d'Ivoire, Croatia, Democratic Republic of the Congo, Guinea, Haiti, Jordan, Lao People's Democratic Republic, Lebanon, Madagascar, Mali, Mauritania, Senegal, Thailand and Viet Nam.

11. In addition to a series of lectures on public international law given at The Hague Academy of International Law, the Fellowship Programme also offered an intensive programme of seminars and complementary study visits organized by the Codification Division of the Office of Legal Affairs and UNITAR.

12. In 2006, The Hague Academy lectures included: "International law and the test of the challenges of today" (Ch. Dominice, Professor Emeritus, University of Geneva); "The design and structure of international courts and tribunals" (D. D. Caron, Professor, University of California at Berkeley); "The interaction between treaties and customary international law" (Y. Dinstein, Professor, University of Tel Aviv); "State responsibility for violation of positive human rights obligations" (R. Pisillo Mazzeschi, Professor, University of Siena); "The concept of the 'common heritage of mankind', then (1967) and now" (M. C. W. Pinto, Secretary-General of the Iran-United States Claims Tribunal); "The contribution of the World Trade Organization's law to public international law" (H. Ruiz Fabri,

[1] A fellowship had to be withdrawn from one candidate due to the candidate's inability to complete the Programme.

Professor, University of Paris I); and "The evolving international regime of nuclear non-proliferation" (M. I. Shaker, Chairman of the Egyptian Council of Foreign Affairs).

13. The special seminars organized in 2006 comprised the following topics: "The law of treaties" (G. Hafner, Professor, University of Vienna); "Law of international watercourses" (E. Benvenisti, Professor, University of Tel Aviv); "The international protection of human rights" (E. V. O. Dankwa, Professor, University of Ghana); "International humanitarian law" (A. M. La Rosa, Legal Adviser, International Committee of the Red Cross); "International environmental law" (L. Boisson de Chazournes, Professor, University of Geneva); "Law of the sea" (T. Treves, Judge, International Tribunal for the Law of the Sea and Professor, University of Milan); "International trade law/the multilateral trading system" (K. Allbeury, World Trade Organization (WTO)); "Refugee law" (M. Gottwald, Office of the United Nations High Commissioner for Refugees (UNHCR)); and "International investment law" (G. A. Alvarez, Visiting Lecturer, Yale Law School).

14. In 2007, The Hague Academy lectures included: "International law in the twenty-first century" (W. M. Reisman, Professor, Yale Law School); "The application in the municipal order of international judgements and decisions" (G. Cataldi, Professor, University of Naples "L'Orientale"); "The use of force according to the jurisprudence of international tribunals" (M. Pinto, Professor and Vice-Dean, Buenos Aires Faculty of Law); "Effectiveness in domestic law of international norms governing the status of individuals" (E. Lagrange, Professor, University of Rennes I); "A trans-civilizational perspective of international law" (Y. Onuma, Professor, University of Tokyo); "The Security Council and issues of responsibility under international law" (V. Gowlland-Debbas, Professor, Graduate Institute of International Studies, Geneva); and "The concept of sovereignty in contemporary international law" (H.E. J. Kranz, Professor, Warsaw School of Economics).

15. The special seminars organized in 2007 comprised the following topics: "International humanitarian law" (D. Momtaz, Professor, University of Tehran); "International criminal law" (E. David, Professor, Free University of Brussels); "International environmental law" (L. Boisson de Chazournes, Professor, University of Geneva); "The law of treaties" (L. Condorelli, Professor, University of Florence and Honorary Professor, University of Geneva); "International trade law" (G. Marceau, Adviser, WTO); "International investment law" (J. P. Laviec, Professor, Graduate Institute of International Studies, Geneva); "Law of the sea" (T. Treves, Judge, International Tribunal for the Law of the Sea and Professor, University of Milan); "The international protection of human rights" (M. Pinto, Professor and Vice-Dean, Buenos Aires Faculty of Law); and "Refugee law" (M. Gottwald, UNHCR).

16. In the framework of the 2006 and 2007 Fellowship Programmes at The Hague, study visits were arranged for the participants to the International Court of Justice, the Permanent Court of Arbitration, the International Criminal Court and the International Tribunal for the former Yugoslavia. In addition, visits were also organized to Eurojust in 2006 and to the Organization for the Prohibition of Chemical Weapons in 2007.

Regional courses

17. During the biennium 2006-2007, at the time of preparing the present report, no regional course in international law has been organized owing to the lack of funds and the absence of a Member State expressing its willingness to host such a course.

(ii) Dissemination

18. The Codification Division participates in the electronic dissemination of information regarding United Nations work in the codification and progressive development of international law, as well as on some aspects regarding its application. A summary of the activities of the Division is to be found in the international law section of the United Nations home page under "Codification of international law" (www.un.org/law/lindex.htm). The Division maintains the website for the Sixth Committee of the General Assembly (www.un.org/ga/sixth) containing, inter alia, links to documents in all official languages and a summary of the activities of the Committee organized by session.

19. Information and documentation links are also available at the websites of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 on international terrorism; the Ad Hoc Committee on Jurisdictional Immunities of States and their Property; the Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings; the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel; and the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization.

20. The Division also maintains the website of the International Law Commission (www.un.org/law/ilc), which provides information on the Commission's background, organization, programme, methods of work and membership, together with complete coverage of all of its sessions. The site was designed as a research tool for the interested user seeking to obtain in-depth information on the topics of international law considered by the Commission. The site includes an up-to-date electronic version of the *Analytical Guide to the Work of the International Law Commission* with links to all the *Yearbooks* and documentation of the Commission in all official languages of the United Nations, where available, and a series of detailed narrative summaries of the consideration of each topic on its agenda (based on the recently issued seventh edition of *The Work of the International Law Commission*). A global search mechanism has also been included providing the user with the possibility of searching the entire collection of documents of the Commission.

21. As a result of the discussion during the 2005 meeting of the Advisory Committee, the Codification Division has established a website on the Programme of Assistance (www.un.org/law/programmeofassistance/top.htm), containing information on the Programme, the various activities under it, links to documents and publications and links to other training programmes and seminars in international law offered by other parts of the Secretariat.

22. In February 2007, the Codification Division launched a new website dedicated to *Reports of International Arbitral Awards*, following the completion of the digitization of all 25 volumes (www.un.org/law/riaa/). The website was also

designed with the researcher in mind. Each digitized volume of the *Reports* was split into its component arbitral decisions, so as to allow the user access at the level of each decision (as opposed to having to download entire volumes). Users can search the site by volume or by State. In addition, a full-text search mechanism has been included in the site allowing the possibility of searching the entire collection of the *Reports* instantaneously. The site will be updated periodically as and when new volumes of the *Reports* are published.

23. Furthermore, the Division continues to maintain the website of the *Repertory of Practice of United Nations Organs* (www.un.org/law/repertory), which includes access to studies from completed volumes as well as on individual Articles of the Charter of the United Nations from volumes not yet completed. All studies available in English are on the site as well as a large number of studies in French and Spanish. In addition, a full-text search feature has been added to the site allowing the user the ability to search the entire collection of available *Repertory* studies, in English, French and Spanish.

24. The three volumes of the *Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice* prepared by the Codification Division, in cooperation with the Court and its Registry, and covering the periods 1948-1991, 1992-1996 and 1997-2002 have been made available in the six official languages by the Codification Division through its website. These volumes were digitized with the assistance of the Dag Hammarskjöld Library in New York.

25. The websites administered by the Division are widely used and receive a large number of visitors from all over the world.

26. Finally, the Codification Division has continued to assist with the inputting of published United Nations legal opinions into the database of the Global Legal Information Network. The Network is a public database of laws, regulations, judicial decisions, and other complementary legal sources contributed by governmental agencies and international organizations which aims to satisfy the need of governmental organs during the law-making process to know the laws and regulations of other jurisdictions.

(iii) Publications

27. *United Nations Juridical Yearbook*. During the biennium 2006-2007, the 1998 edition of the *Juridical Yearbook* in Chinese, English, French, Russian and Spanish was issued. The 1999 edition in Arabic, Chinese, French, Russian and Spanish and the 2000 edition in Chinese, Russian and Spanish were also issued during this period. In addition, the 2001 edition of the *Juridical Yearbook* in Arabic and the 2003 and 2004 editions in English were issued. The Codification Division has already completed and submitted for processing and publication in all six official languages the 1999, 2000, 2001 and 2002 editions. In addition, work on the 2005 edition of the *Juridical Yearbook* is well under way. Furthermore, the publication has recently been expanded within the framework of existing guidelines relating to its preparation (General Assembly resolution 3006 (XXVII)), in order to give a more complete overview of the current work of the legal offices of the organizations in the United Nations system.

28. *Reports of International Arbitral Awards*. During the biennium 2006-2007, volume 25 of the *Reports of International Arbitral Awards* has been published.

Volumes 27 and 28 have been prepared by the Codification Division and are scheduled for publication by the end of 2007. Work on volumes 26 and 29 is in progress.

29. *Repertory of Practice of United Nations Organs and Repertoire of the Practice of the Security Council*. During the period under review, the Secretariat continued its efforts to reduce the backlog in the publication of the *Repertory of Practice of United Nations Organs*, as well as of the *Repertoire of the Practice of the Security Council*, in accordance with General Assembly resolutions 60/23 and 61/38. The status of the *Repertory* and the *Repertoire* is set out in the report of the Secretary-General on the two publications (A/62/124 and Corr.1).

30. *Yearbook of the International Law Commission*. During the biennium 2006-2007, volume I of the 1997 *Yearbook* has been published in Spanish; volume I of the 2000 *Yearbook* has been published in French, Russian and Spanish; volume I of the 2001 *Yearbook* has been published in Arabic, English and French; volume II (part one) of the 1995 *Yearbook* has been published in English, French and Spanish; and volume II (part two) of the 2000 *Yearbook* has been published in English, French and Spanish.

31. In 2007, the Codification Division has published the seventh edition (vols. I and II) of *The Work of the International Law Commission*, which brings up to date the previous edition by incorporating a summary of the latest developments of the work of the Commission, texts of new Commission drafts as well as a new convention on the basis of such a draft.

32. The preparation of the new edition of the *Summaries of Judgments, Advisory Opinions and Orders of the International Court of Justice* covering the period 2003-2007 is well under way. Similarly, the Division is preparing, in collaboration with the United Nations Office on Drugs and Crime, a new edition of the *International Instruments related to the Prevention and Suppression of International Terrorism* that will be available in the six official languages.

(b) Division for Ocean Affairs and the Law of the Sea

(i) Activities: Hamilton Shirley Amerasinghe Memorial Fellowship

33. The Hamilton Shirley Amerasinghe Memorial Fellowship provides successful fellows with facilities for postgraduate study and research in the field of the law of the sea, its implementation and related marine affairs at participating universities. It is awarded by the Under-Secretary-General for Legal Affairs, the Legal Counsel, on the recommendation of the Advisory Panel, after the Division for Ocean Affairs and the Law of the Sea has carried out, in cooperation with the Codification Division, the preliminary stage of review of the individual applications. The Panel will meet on 8 November 2007 to choose a candidate for the twenty-second annual award.

34. Annual awards have been offered to individuals from the following countries: Nepal (1986); United Republic of Tanzania (1987); Chile (1988); Trinidad and Tobago (1989); Sao Tome and Principe (1990); Yugoslavia (1991); Thailand (1992); Kenya (1993);[2] Cameroon and Seychelles (1994); Tonga (1995); Indonesia (1996); Samoa (1997); Nigeria and Papua New Guinea (1998); Barbados and Sri Lanka

[2] The recipient of the award was unable to take up the fellowship for personal reasons and there was not enough time to award the fellowship to the reserve candidate.

(1999); Kenya (2000); Bulgaria and Iran (Islamic Republic of) (2001); Cape Verde and Colombia (2002); Argentina (2003); Sri Lanka (2004); Palau (2005); and Viet Nam (2006).

(ii) Dissemination

35. The website of the Division on the United Nations home page (www.un.org/depts/los/index.htm) provides information on almost all aspects of oceans and the law of the sea. In particular, this information relates to: (a) the 1982 United Nations Convention on the Law of the Sea, the 1994 Agreement relating to the implementation of part XI of the Convention and the 1995 Fish Stocks Agreement, including documentation related to the meeting of States Parties to the 1982 Convention and to the Informal Consultations of Parties to the 1995 Fish Stocks Agreement, as well as to the Review Conference on that Agreement; (b) actions related to the agenda item entitled "Oceans and the law of the sea" of the General Assembly, including the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, the reports of the Secretary-General, General Assembly resolutions, other General Assembly documents issued under that agenda item, documents and information related to the regular process for the global reporting and assessment of the state of the marine environment, including socio-economic aspects, and official records of the General Assembly reflecting the debates on the item; (c) the Commission on the Limits of the Continental Shelf, the International Seabed Authority and the International Tribunal for the Law of the Sea; (d) dispute settlement issues, especially concerning the choice of procedure under article 287 of the 1982 Convention and declarations made under article 298, lists of arbitrators and conciliators and experts; and (e) capacity-building and training, including the Hamilton Shirley Amerasinghe Memorial Fellowship, the technical cooperation trust fund established on the basis of an agreement between the United Nations and the Nippon Foundation, and the trust funds related to the Commission on the Limits of the Continental Shelf, the International Tribunal for the Law of the Sea, the consultative process and the TRAIN-SEA-COAST Programme.

36. In addition, the Division's website contains documentation relating to the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, as well as texts of maritime boundary delimitation treaties and of national legislation concerning maritime zones, links to major United Nations agencies, intergovernmental and non-governmental organizations and academic institutions that deal with oceans and the law of the sea, and extensive lists of documents and publications aimed at a better understanding of the legal regime as contained in the 1982 Convention.

(iii) Publications

37. During the period under review, the Division published five issues of the *Law of the Sea Bulletin*, Nos. 58 to 62. This periodical updates information relating to the law of the sea and marine affairs, including national legislation, bilateral and multilateral treaties and the decisions of international courts and arbitral tribunals. The Division also issued Nos. 22, 23 and 24 of the *Law of the Sea Information Circular* series, which presents information on any action taken by States parties in implementing the 1982 United Nations Convention on the Law of the Sea. Further,

the Division published *The Law of the Sea: Training Manual for Delineation of the Outer Limits of the Continental Shelf Beyond 200 Nautical Miles and for Preparation of Submissions to the Commission on the Limits of the Continental Shelf*.[3]

(c) International Trade Law Division

(i) Activities

38. The activities conducted by the United Nations Commission on International Trade Law (UNCITRAL) and its secretariat, the International Trade Law Division of the Office of Legal Affairs in connection with the Programme of Assistance are designed primarily to promote the harmonization and unification of international trade law by disseminating information on the texts resulting from the work of UNCITRAL among government officials, judges, lawyers and scholars, particularly from developing countries, in line with the mandate of UNCITRAL as the core legal body within the United Nations system in the field of international trade law.

39. In resolution 61/32 the General Assembly endorsed the efforts and initiatives of the Commission aimed at promoting the rule of law at the national and international levels in the trade law field. Furthermore, the General Assembly reiterated its appeal to Governments, the bodies of the United Nations system, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in carrying out technical assistance activities, in particular in developing countries. The Assembly also appealed to the United Nations Development Programme (UNDP) and other bodies responsible for development assistance, as well as to Governments, to support the technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission.

40. The Commission, pursuant to General Assembly resolutions 60/20 and 61/32, continued with its initiative towards expanding, through its secretariat, its technical assistance and cooperation programme. It organized activities in several developing countries with the objective of assisting them in assessing their needs in the modernization of their legislation on international trade law and in adopting and implementing UNCITRAL texts, and participated in activities organized or coordinated by other organizations. In addition, members of the UNCITRAL secretariat participated as speakers in a number of seminars and courses organized and funded by other institutions. The secretariat prepares yearly a note on its technical cooperation and assistance activities for the consideration of the Commission. The most recent of such notes is contained in document A/CN.9/627.

(ii) Dissemination

41. The UNCITRAL website (www.uncitral.org) provides information on UNCITRAL texts and on the ongoing work of the Commission to Governments, Commission delegates, researchers, practitioners and other interested users. The website, whose content is available in the six official languages of the United Nations, also contains case law on UNCITRAL texts; archival and research

[3] United Nations publication, Sales No. E.06.V.4.

materials; and other information relating to international trade law. The number of visitors has increased fourfold since the launch of the new website in June 2005 and the traffic pattern shows great appreciation for the availability of materials in all official languages. The website is being continuously updated with new documents and expanded with additional tools and archival materials. The digitization of UNCITRAL archival official documents is ongoing with the assistance of the Dag Hammarskjöld Library in New York, and scanned documents are being made available on the UNCITRAL website and on the Official Documents System.

(iii) Publications

42. In 2006 and 2007, the International Trade Law Division published the *Case Law on UNCITRAL Texts* (CLOUT) abstracts Nos. 47-65, as well as the 2003 and the 2004 *UNCITRAL Yearbook*, the *UNCITRAL Guide* and the explanatory note by the UNCITRAL secretariat on the United Nations Convention on the Use of Electronic Communications in International Contracts.[4] A report on the status of ratifications and enactments of UNCITRAL texts and the UNCITRAL consolidated bibliography are prepared yearly at the request of the Commission; these documents are also available in the six official languages of the United Nations and are regularly updated on the UNCITRAL website.

(d) Treaty Section

(i) Activities

43. The Treaty Section of the Office of Legal Affairs has continued to expand its programme of technical assistance on treaty law and practice in the context of the Strategy for an Era of Application of International Law: Action Plan. In addition to the technical assistance and advice routinely provided to permanent missions to the United Nations, specialized agencies, regional commissions, treaty bodies, and the Secretariat on the registration and publication of treaties and the depositary practice of the Secretary-General, advice and assistance were also provided on treaties and related actions recorded and stored in the Treaty Section database and on the drafting of final clauses of multilateral treaties.

44. The Treaty Section, in collaboration with UNITAR, organized treaty seminars in English and French on treaty law and practice at United Nations Headquarters in May and November 2006 and in April 2007. In July 2006, the Treaty Section participated in a capacity-building workshop on treaty law and practice in Liberia. The workshop was a collaborative effort among the United Nations Secretariat, UNDP, the United Nations Mission in Liberia and the World Bank. In January 2007, another capacity-building workshop was held in Indonesia, in collaboration with the United Nations Environment Programme, the United Nations Office on Drugs and Crime, UNITAR, and the Pacific Islands Forum secretariat. The workshop was hosted by the Ministry of Foreign Affairs of Indonesia. Participating States included: Australia, Bangladesh, Cambodia, China, Cook Islands, Fiji, Indonesia, Malaysia, Maldives, Micronesia (Federated States of), Nauru, Palau, Philippines, Samoa, Singapore, Thailand, Timor-Leste, Tonga, Turkey and Vanuatu. In February 2007, the Treaty Section participated in a regional workshop for Central Asia and

[4] See *United Nations Convention on the Use of Electronic Communications in International Contracts* (United Nations publication, Sales No. E.07.V.2).

the Caucasus on international cooperation against terrorism and transnational organized crime which was sponsored by the United Nations Office on Drugs and Crime and the Organization for Security and Cooperation in Europe and hosted by the Government of Turkey. Finally, in May 2007, a capacity-building workshop was held in Slovenia by the Treaty Section, in collaboration with the International Trade Law Division and the United Nations Office on Drugs and Crime. The workshop was hosted by the Ministry of Foreign Affairs of Slovenia. Participating States included foreign and justice ministry officials from Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Montenegro, Romania, Serbia and the former Yugoslav Republic of Macedonia.

45. The treaty event, "Focus 2006: Crossing Borders", was held from 13 to 15 September 2006. This treaty event coincided with the High-level Dialogue on International Migration and Development, which took place on 14 and 15 September at Headquarters. The publication of the same name was issued in July 2006 and distributed to all permanent missions, United Nations agencies, and concerned non-governmental organizations, among others. A panel on migration organized by UNITAR with the assistance of the Treaty Section was also held in June 2006.

46. The treaty event, "Focus 2007: Towards Universal Participation and Implementation — A Comprehensive Legal Framework for Peace, Development and Human Rights" was held from 25 September to 2 October 2007. The publication of the same name was issued in July and distributed to all permanent missions, United Nations agencies, and concerned non-governmental organizations, among others.

(ii) Dissemination

47. Consistent with the wishes of the Member States, the Treaty Section has continued to develop and enhance the Section's computerization programme in order to facilitate the effective storage, retrieval and timely dissemination of treaty information, now substantially contained on the website of the United Nations Treaty Collection (http://untreaty.un.org). Updated information on the legal training organized at United Nations Headquarters and in the regions was posted as well as publications relating to the treaty event. Legal technical assistance to Member States was also provided to help them establish their national databases and collections of treaties. The United Nations Treaty Collection on the Internet website was updated to include all treaties published in the United Nations *Treaty Series* up to the June 2005 registration month. In addition, the certified true copies of multilateral treaties deposited with the Secretary-General were posted on the site and an automated depositary notification (CN) posting and distribution system was launched. Multilateral treaties opening for signature and a Survey of Reservations, Objections and Withdrawals — A Study on Human Rights Treaties were added to the site. The publication *Multilateral treaties deposited with the Secretary-General: status as at 31 December 2006*[5] was placed on CD-ROM with a hyperlink to the website for an update. Direct links through an http request solution were provided to the Codification Division and the members of the International Law Commission and of the Sixth Committee of the General Assembly. The Treaty Section's data processing and web publishing capabilities have been upgraded substantially. Developing country users, non-governmental organizations, Governments, users within the

[5] United Nations publication, Sales No. E.07.V.3.

United Nations family and members of the International Law Commission have been provided free access to the United Nations Treaty Collection website. In keeping with the wishes of Member States and to promote increased familiarity with and wider appreciation of international law as mandated by the General Assembly, steps have been taken to further facilitate access to the United Nations Treaty Collection on the Internet. It is envisaged that the user-fee mechanism which was introduced in 1997 in response to the General Assembly recommendation to explore the economic and practical feasibility of recovering the costs of providing Internet access to the United Nations *Treaty Series* and the *Multilateral Treaties Deposited with the Secretary-General* by resolution 51/158, will be discontinued by the end of 2007. The need to recover the associated development costs for this Internet service has been fully met.

2. Activities of the United Nations Office at Geneva: International Law Seminar

48. The forty-second and forty-third sessions of the International Law Seminar were held at the Palais des Nations in Geneva from 3 to 21 July 2006 and from 9 to 27 July 2007, during the fifty-eighth and fifty-ninth sessions of the International Law Commission, respectively. In 2006, the 25 candidates (14 males and 11 females) selected were from Armenia, Australia, Brazil, Cambodia, China, the Congo, Ethiopia, Finland, France, Greece, Haiti, Hungary, Indonesia, Italy, Japan, Jordan, Kenya, Lesotho, Mexico, Morocco, Peru, the Russian Federation, Senegal, Togo and Trinidad and Tobago. In 2007, the 26 candidates (11 males and 15 females) selected were from Argentina, Bangladesh, China, Costa Rica, Cuba, the Gambia, Guatemala, India, Iraq, Ireland, Japan, Lithuania, Madagascar, Maldives, Mali, Mauritania, Mexico, the Netherlands, the Niger, Portugal, Romania, Slovenia, Sri Lanka, the United States of America, Uganda and Uruguay.

49. The Seminar is funded by voluntary contributions from Member States and through national fellowships awarded by Governments to their own nationals. Fellowships were made available to participants in 2006 and 2007 by the Governments of Austria, China, Croatia, Cyprus, the Czech Republic, Finland, Germany, Hungary, Ireland, Mexico, New Zealand, Norway, Switzerland, and the United Kingdom of Great Britain and Northern Ireland. With the award of the fellowships it was possible to achieve adequate geographical representation of participants and to select deserving candidates who would otherwise have been prevented from participating in the Seminar. For the 2006 session, full fellowships (travel and subsistence allowance) were awarded to 19 candidates and a partial fellowship (subsistence allowance only) was awarded to 1 candidate. In 2007, full fellowships were awarded to 15 candidates and partial fellowships were awarded to 2 candidates.

50. The sessions were opened by the Chairman of the International Law Commission for the respective sessions; Guillaume Pambou-Tchivounda in 2006 and Ian Brownlie in 2007. The Senior Legal Adviser of the United Nations Office at Geneva was responsible for the administration, organization and conduct of the sessions.

51. In 2006, the following lectures were given by members of the Commission: "Unilateral acts" (V. Rodríguez Cedeño); "Diplomatic protection" (J. Dugard); "The Darfur case before the International Criminal Court" (D. Momtaz); "International liability for acts not prohibited by international law" (P. S. Rao); "Shared natural

resources" (C. Yamada); "Fragmentation of international law" (M. Koskenniemi); and "Responsibility of international organizations" (G. Gaja). Lectures were also given by experts in their respective fields on the following issues: "The work of the International Law Commission"; "International refugee law"; "The World Trade Organization dispute settlement system"; and "The Human Rights Council". Study visits were organized to the European Organization for Nuclear Research, the International Red Cross and Red Crescent Museum and the Palais Wilson.

52. In 2007, the following lectures were given by members of the International Law Commission: "Responsibility of international organizations" (G. Gaja); "The International Criminal Court Statute: a step forward in international law" (P. Escarameia); "The International Law Commission — a view from inside" (A. Pellet); "The American system of protection of human rights" (E. Vargas Carreño); "The European system of protection of human rights" (L. Caflisch); "Shared natural resources" (C. Yamada); "Assistance by States in internationally wrongful acts by other States — issues of responsibility and development of the law" (G. Nolte); "Towards a comprehensive convention on terrorism" (A. P. Perera); "*Aut dedere aut judicare*" (Z. Galicki); and "Expulsion of aliens" (M. Kamto). Lectures were also given by experts in their respective fields on the following issues: "The work of the International Law Commission"; "Reservation to treaties"; "The World Trade Organization: current challenges"; "The World Trade Organization dispute settlement system"; and "The Human Rights Council after its first year". Furthermore, study visits were organized to the World Trade Organization, the International Red Cross and Red Crescent Museum, the "Alabama Room" in the Geneva Town Hall and the Palais Wilson.

3. Activities of the United Nations Institute for Training and Research

53. In addition to the cooperation with the Office of Legal Affairs in organizing various seminars (see sect. I above), UNITAR has carried out in 2006 and 2007 a number of activities related to the teaching, study, dissemination and wider appreciation of international law, including the following: a training programme on the legal aspects of debt, financial management and negotiation for English- and French-speaking African countries, Central Asian republics and Azerbaijan, as well as other selected countries; a workshop aimed at contributing to the ongoing discussion on the adoption of a legal regime on access and benefit sharing of genetic resources in Brazil, in March 2006; a seminar on international environmental law and treaty law for Government officials from Tajikistan, in June 2006; a fellowship programme on international and comparative environmental law in Hungary, in July and August 2006; a diplomacy and international law training for Government officers in Eritrea, in May and June 2006 and in Myanmar, in September and October 2006; and a seminar on the work of UNCITRAL in Austria, in November 2006.

54. UNITAR also held a number of workshops and seminars at United Nations Headquarters, including the UNITAR series on key migration issues, the peace and security series, the series on international economics and finance, and the series on negotiation in a multilateral context. In addition, on a yearly basis, the New York Office of UNITAR organizes workshops on the negotiation of international legal instruments; the World Intellectual Property Organization/UNITAR workshop on international intellectual property; the UNITAR fellowship programme at Columbia

University Law School; the UNITAR visitors programme at New York University School of Law; and the workshop on international trade and the Doha Round.

55. Furthermore, in April 2006, as part of the celebration of the sixtieth anniversary of the International Court of Justice, UNITAR assisted the Court in the organization of a two-day informal dialogue with judges, legal advisers, agents and counsels involved in cases submitted to the Court in the past 10 years.

56. In addition, in 2007, UNITAR ran a distance learning course on international environmental law, available in English, French, and Spanish, during which 95 participants from 29 countries enrolled. Finally, from 9 February to 27 April 2007, UNITAR held its first e-learning basic course on international environmental law that was offered free of charge to a total 213 participants from 166 countries.

4. Distribution of United Nations legal publications

57. Pursuant to paragraph 48 of the 2005 report of the Secretary-General on the Programme of Assistance (A/60/441) and paragraph 1 of General Assembly resolution 60/19 authorizing its implementation, copies of United Nations legal publications issued during 2006 and 2007 have been provided to the institutions in developing countries that have been receiving such publications under the Programme and to other institutions in a number of countries, in particular in developing countries, for which requests for such publications have been made by the Member States concerned. The International Court of Justice continued to provide copies of its publications to institutions receiving assistance under the Programme and the Court's decisions are made available immediately on its website (www.icj-cij.org/icjwww/idecisions.htm).

B. Activities of the United Nations Educational, Scientific and Cultural Organization

58. UNESCO made a major contribution to the dissemination of its standard-setting instruments (35 conventions, 31 recommendations and 13 declarations) through the website created in 2004 by the Office of International Standards and Legal Affairs (www.unesco.org/legal_instruments). At present, the texts of the international instruments adopted by its General Conference or under the auspices of UNESCO are easily accessible to the public, including the status of ratifications and reservations or declarations made by States parties. The basic legal texts of the organization are also available on the website together with a large number of documents relevant to UNESCO standard-setting activities.

59. In March 2006, on the occasion of the sixtieth anniversary of UNESCO, a symposium was organized on the topic "UNESCO: Sixty Years of Standard-Setting in Education, Science and Culture", with a large participation of specialized audiences (professors and researchers from universities in France and from all over the world, delegates of States members of UNESCO, and lawyers working in international organizations) with a view to assessing the impact of UNESCO standard-setting on international law. A book in two volumes including all the papers presented at the symposium as well as a collection of texts of UNESCO standard-setting instruments is due to be published in the last quarter of 2007.

III. Guidelines and recommendations regarding the execution of the Programme in the biennium 2008-2009

A. General observations

60. The paragraphs below contain the guidelines and recommendations requested by the General Assembly in paragraph 15 of its resolution 60/19. In formulating such guidelines and recommendations, account has been taken of the fact that, in the resolution, the Assembly did not provide for new budgetary resources for the Programme, but relied instead on financing such activities from the existing overall level of appropriations and voluntary contributions from States.

61. Therefore, in substance, the paragraphs below recommend that the United Nations and other agencies continue the current activities under the Programme and develop and expand them if sufficient funds are available. In principle, new activities should be undertaken only if the overall level of appropriations or voluntary contributions make them possible.

B. Activities of the United Nations

1. Office of Legal Affairs

62. With regard to the training of interns, geographical distribution will be duly borne in mind in selecting interns and, at the same time, existing possibilities will be fully taken advantage of, irrespective of nationality.

(a) Codification Division

63. During the biennium 2008-2009, the Codification Division is expected to continue performing the various functions connected with the goals of the Programme, as described in the present report, namely, participation in the International Law Fellowship Programme; regional courses; training of interns; lecturing on international law topics; substantive servicing of the Advisory Committee and the Sixth Committee on the agenda item concerning the United Nations Programme of Assistance; and dissemination of information regarding the codification and progressive development of international law.

64. *International Law Fellowship Programme*. A number of fellowships should continue to be awarded each year under the United Nations regular budget. Additional fellowships may be awarded from the Trust Fund of the Programme of Assistance, depending upon the amount of voluntary contributions received each year. The Programme also should be open to a limited number of self-funded participants.

65. Guidelines contained in General Assembly resolutions should be followed, in particular regarding the desirability of using, as far as possible, the resources and facilities made available by Member States, international organizations and others, as well as the need, in appointing lecturers for the seminars of the International Law Fellowship Programme, to secure representation of the major legal systems and balance among various geographical regions. Every effort should be made to enhance and maintain the high quality of the lecturers and the seminars. The

monolingual format will continue for the 2008 and 2009 programmes to reduce the cost thereof.

66. Furthermore, in the implementation of the Fellowship Programme, maximum use should be made of the existing human and material resources of the Organization so as to achieve the best possible results within a policy of maximum financial restraint. To the extent possible, teaching experts for the seminars should be selected from among the staff of the Organization, thus reducing to a minimum consultants' fees and making full use of the expertise of Organization staff in international law and related areas.

67. Upon the invitation of the Office of Legal Affairs, UNITAR should continue to participate in the organization of the Fellowship Programme, as appropriate, and in accordance with the guidelines set out above.

68. *Regional courses*. The regional courses in international law were originally conceived to be organized on a regular basis rotating among three regions, namely Africa, Asia and the Pacific, and Latin America and the Caribbean. However, it has not always been possible to organize courses on a regular basis as envisaged by the General Assembly owing to financial constraints and difficulties encountered in finding host countries. In view of the high demand for training in international law from developing countries, as demonstrated by the dramatic increase in the number of applications for the International Law Fellowship Programme in recent years, it is recommended to renew efforts to organize regional courses on a regular and rotational basis, as originally envisaged. Member States are therefore encouraged to notify the Codification Division of their willingness to host such courses and to make voluntary contributions to their funding. The Codification Division will also consider ways and means to enhance the organization of such courses, within existing resources.

69. *United Nations Audiovisual Library of International Law*. The Audiovisual Library was established in 1997 to enhance the dissemination and wider appreciation of international law through teaching by providing tapes to academic or Government institutions, particularly in developing countries, to assist them in incorporating international law into course curricula. However, owing to practical difficulties encountered in lending the tapes to interested countries, it has not been possible to effectively achieve the purpose of the Audiovisual Library. In order to enhance the Audiovisual Library and to take advantage of modern technologies, the Codification Division is exploring the possibility of creating a website containing audiovisual materials in international law, which would be administered by the Codification Division. The development of such a website would depend to a large extent on the availability of funding from voluntary contributions. The existing collection of tapes will remain in the audiovisual collection of the Dag Hammarskjöld Library for on-site viewing.

(b) Division for Ocean Affairs and the Law of the Sea

70. The Office of Legal Affairs will continue to award at least one Hamilton Shirley Amerasinghe Memorial Fellowship annually, subject to the availability of new voluntary contributions made specifically to that fellowship and in accordance with the rules and guidelines for the implementation of this fellowship.

(c) International Trade Law Division

71. The International Trade Law Division will continue to provide training and assistance in international trade law which are of particular concern to developing countries, in accordance with the recommendations made by UNCITRAL and the General Assembly in this regard, and within existing resources.

(d) Treaty Section

72. The Treaty Section will continue its programme of technical assistance on treaty law and practice as well as its seminars and others activities described above.

2. United Nations Office at Geneva

73. *Geneva International Law Seminar.* It is expected that, if sufficient voluntary contributions from States continue to be made, new sessions of the Seminar will be held in 2008 and 2009 in conjunction with those of the International Law Commission. Scheduling of the sessions of the Seminar should be done in such a way as to make it possible to provide it with adequate services, including interpretation, as required.

3. Dissemination

74. Efforts should be continued to ensure the publishing of materials on matters of legal interest through the Internet, as well as through other electronic media.

4. Provision of United Nations legal publications

75. Copies of United Nations legal publications issued during 2008 and 2009 will be provided to the institutions in developing countries that have been receiving such publications under the Programme and to other institutions in developing countries for which requests for such publications are made by the Member States concerned. Each new request will be reviewed on its own merits and the availability of the legal publication in question will also be taken into account.

IV. Administrative and financial implications of United Nations participation in the Programme

A. Biennium 2006-2007

76. For the biennium 2006-2007, the actual cost of producing and supplying the publications to institutions in developing countries falls under the allocations relating to administrative and common services of the respective substantive programme budget to which each publication belongs.

77. As for the cost of provision by the United Nations of a number of fellowships determined in the light of the overall resources for the Programme, a total of $437,100 was included in the regular budget under section 8 (Legal affairs) of the programme budget for the biennium 2006-2007.

78. In its resolution 60/19, the General Assembly reiterated its request to Member States and to interested organizations and individuals to make voluntary contributions towards the financing of the Programme. Accordingly, notes verbales

were sent to Member States on 12 January 2006 and on 22 March 2007, drawing their attention to that resolution and to General Assembly resolutions 60/22 and 61/34 on the reports of the International Law Commission on the work of its fifty-seventh[6] and fifty-eighth[7] sessions, respectively.

79. For the International Law Seminar, the Governments of the following countries made contributions in 2006: Austria ($10,883); China ($6,046); Croatia ($6,500); Cyprus ($2,060); Czech Republic ($3,000); Finland ($4,740); Germany ($12,195); Hungary ($3,360); Ireland ($6,046); Mexico ($7,500); New Zealand ($3,153); Norway ($4,551); and Switzerland ($9,160). In 2007, contributions were received from: Austria ($12,150); Cyprus ($6,880); Finland ($5,298); New Zealand ($3,491); Switzerland ($12,295); and United Kingdom ($12,150).

80. For the International Law Fellowship Programme, the following countries made contributions in 2006: Cyprus ($2,280); Holy See ($3,000); Ireland ($6,547.73); New Zealand ($3,152.50); Portugal ($1,269.40); and Trinidad and Tobago ($5,000). In 2007 contributions were received from Cyprus ($2,300); Ireland ($6,710); Trinidad and Tobago ($5,000); and Venezuela (Bolivarian Republic of) ($5,000).

81. For the Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea, the following countries made contributions in 2006: Cyprus ($2,000) and Monaco ($10,000). In 2007, contributions were received from Cyprus ($7,160); Ireland ($6,710); Monaco ($10,000); and United Kingdom ($28,000).

82. Contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia were received in 2006 from Mexico ($5,000) and Singapore ($2,000); and in 2007 Singapore made another contribution ($2,000).

83. For the United Nations Audiovisual Library in International Law, a contribution was received from Mexico ($3,000) in 2006.

B. Biennium 2008-2009

84. Assuming that the recommendations regarding legal publications are adopted, the cost of handling and shipping the United Nations legal publications issued in 2008 and 2009 would be covered by the estimates under the relevant sections of the proposed programme budget for the biennium 2008-2009.

85. With regard to the provision of fellowships within the International Law Fellowship Programme during the biennium and possibly of travel grants for participants in regional courses during 2008 or 2009, an amount of $437,100 is included in the proposed programme budget for the biennium 2008-2009 under section 8 (Legal affairs), assuming that the General Assembly approves the guidelines and recommendations on those programmes.

86. The Secretary-General would repeat his efforts, if the General Assembly so decides, in requesting voluntary contributions to the Programme. It is proposed that, as in past years, the funds accruing from such contributions have, as a main goal, and subject to considerations of a practical nature, the increase of the number of

[6] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 10* (A/60/10).

[7] Ibid., *Sixty-first Session, Supplement No. 10* (A/61/10).

fellowship grants to candidates from developing countries, in addition to the minimum that would be authorized by the General Assembly under the appropriations from the regular budget.

V. Meetings of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

A. Membership of the Advisory Committee

87. The General Assembly, in its resolution 58/73, appointed 25 Member States for membership of the Advisory Committee for the period from 1 January 2004 to 31 December 2007: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Lebanon, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Sudan, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay.

B. Consideration of the reports of the Secretary-General by the Advisory Committee at its forty-first and forty-second sessions

88. In paragraph 15 of its resolution 60/19, the General Assembly requested the Secretary-General to report to the Assembly at its sixty-second session on the implementation of the Programme during 2006 and 2007.

89. As part of the preparation of the report requested under resolution 60/19, the Secretary-General prepared an interim report in 2006[8] and a draft report in 2007 (A/AC.117/2007/L.1), covering the activities carried out during the biennium 2006-2007 by the various bodies that participated in the execution of the Programme, for consideration by the Advisory Committee at its forty-first and forty-second sessions, respectively.

90. At the forty-first session of the Advisory Committee, held on 9 November 2006, the representatives of the following members of the Committee were present: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Italy, Jamaica, Kenya, Mexico, Portugal, Sudan, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay. Representatives of UNITAR and the Division of Ocean Affairs and the Law of the Sea also attended.

91. At the forty-second session of the Advisory Committee, held on 22 October 2007, the representatives of the following members of the Committee were present: Canada, Colombia, Cyprus, Czech Republic, Ethiopia, France, Germany, Ghana, Iran (Islamic Republic of), Italy, Jamaica, Kenya, Malaysia, Mexico, Nigeria, Pakistan, Portugal, Russian Federation, Sudan, Trinidad and Tobago, Ukraine, United Republic of Tanzania, United States of America and Uruguay. Representatives of UNITAR and Division of Ocean Affairs and the Law of the Sea also attended.

[8] Conference room paper of 11 August 2006.

92. The forty-first and forty-second sessions were chaired by Robert Tachie-Menson of Ghana.

93. Virginia Morris, Senior Legal Officer, Codification Division, Office of Legal Affairs, acted as Secretary of the Advisory Committee at both sessions.

94. During the consideration of both the interim and the draft report, a concern was expressed regarding the appropriateness, in the context of legal training, of one of the topics of the 2006 International Law Seminar. Views were also exchanged on the changes envisaged for the Treaty Section's electronic database. In particular, during the forty-second session, satisfaction was expressed that the development cost for the database had been recovered. Moreover, information was requested regarding the total such cost in relation to revenues from user fees, in order to evaluate the effectiveness of this kind of revenue-generating mechanism in other contexts. Finally, some delegations welcomed the new structure of the report and its office-based approach. It was noted that the new structure was also useful in relation to the consideration of the Organization's overall rule of law activities.